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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

Auto Point Ltd.,

Plaintiff,

-against-

Metropolitan Shipping Company, d/b/a  
Metropolitan Shipping Logistics,  
International Freight Corp.,  
Ultimate Body and Transport, Inc. and  
Louis Gangone,

Defendants.

No. 10-cv-0385 (JW)

Third Status Report

*Application  
granted. Defendants  
shall respond to  
this request by  
2/24/12. SO ORDERED:*

/s/

Roanne L. Mann

U.S. Magistrate Judge

Dated: 2/21/12

The Bankruptcy Trustee for Auto Point Ltd. in this matter, Brian F. Leonard, Leonard, O'Brien Spencer, Gayle & Sayre, Ltd., 100 South Fifth Street, Suite 2500, Minneapolis, Minnesota 55402-1234, has given the undersigned permission to dismiss this case without prejudice. We request that the Court give the defendants 7 days to object to dismissal on this basis, and that, if no objection is received, that the case be dismissed without prejudice with each party to bear its own costs.

Dated: New York, New York  
February 17, 2012

s/

Richard C. Yeskoo